

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OLIVER BAUTISTA,

Plaintiff,

-against-

PR GRAMERCY SQUARE
CONDOMINIUM, *et al.*,

Defendants.

ORDER

21-cv-11093 (ER)

RAMOS, D.J.:

This case was referred to mediation on December 15, 2022. Doc. 47. A mediation conference was scheduled for April 21, 2023; however, no mediation conference was held on that day.

Additionally, on September 19, 2023, the Court granted Mintz & Gold LLP's motion to withdraw as counsel for Clipper Realty Inc., Clipper Equity GP LLC, Clipper Equity LLC, and Clipper Equity New York LP ("the Clipper Defendants"). Doc. 56. The Court directed the Clipper Defendants to have counsel enter an appearance by October 21, 2023 or risk entry of default judgment against them. *Id.*

On October 26, 2023, the Court directed the parties to submit an update as to the status of mediation by November 17, 2023. Doc. 58. The Court also reminded the Clipper Defendants that corporate defendants may not proceed pro se and, accordingly, their failure to have counsel enter an appearance may result in adverse action against them, including entry of default judgment. *Id.* Accordingly, the Court directed the Clipper Defendants to have counsel enter an appearance by November 17, 2023. *Id.* The Court additionally directed Plaintiff to serve a copy of its order on the Clipper Defendants by November 3, 2023. *Id.*

To date, the parties have not submitted a status update as to mediation, nor have the Clipper Defendants had counsel enter an appearance.

The Court again directs the parties to submit a status update as to mediation by April 19, 2024, and directs the Clipper Defendants to have counsel enter an appearance by the same date. Plaintiff is directed to serve a copy of this Order on the Clipper Defendants by April 5, 2024 and submit proof of service thereof. Failure to submit a status update or to submit proof of service may result in dismissal of the case for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). Similarly, if the Clipper Defendants fail to have counsel enter an appearance on their behalf, it may result in an adverse action against them, including entry of default judgment.

This case has been inactive for well over a year. The parties must prosecute the case, or the Court will close it.

It is SO ORDERED.

Dated: April 1, 2024
New York, New York



Edgardo Ramos, U.S.D.J.